

2693

AGREEMENT

Made this 2nd day of July 1999 by and between Jumbo Liquors Inc. t/a  
(the Applicant)  
Advisory Neighborhood Commission 6A and Community Citizens Group  
(the ANC)

WITNESSETH

WHEREAS, Applicant's application renewal for Retailers' Class A license for premises, 1122 H Street NE, ABC Application #2693, is now pending before the District of Columbia Alcoholic Beverage Control Board (ABC Board), and,

WHEREAS, the premises is within the boundaries of the ANC; and,

WHEREAS, the parties desire to enter into an agreement governing certain understandings regarding the issuance of a Retailers' Class A Liquor License at the subject premises; and,

WHEREAS, the parties agree that the sale of single containers of beer, of 40 ounces or less, is associated with alcoholism, the illegal public consumption of alcohol, which, in turn, is associated with violence and other harmful and offensive behavior, including aggressive panhandling, and with the accumulation of destructive and publicly costly trash and litter and,

WHEREAS, the ability of the District of Columbia government to provide essential public services is compromised by the failure of businesses and individuals to pay their financial obligations to the government in a full and timely manner, and,

WHEREAS, the strict enforcement of health, safety, and security regulations enhances compliance with such regulations, and in turn, preserves and enhances the peace, order, and quiet of communities within the District of Columbia; and,

WHEREAS, the Applicant hereby certifies that it does not owe more than \$100 to the district of Columbia government as the result of any fine, fee, penalty interest or past due tax, or, if any amounts are owed, that arrangements satisfactory to the District of Columbia government have been made and are being performed by Applicant.

WHEREAS, applicant declares that ending the sale of all single containers of beer of 40 or fewer ounces (which Applicant declares make up approximately \_\_\_\_\_% of the Applicant's sales of alcoholic beverages) will result in financial hardship and will negatively affect the successful operation of the Applicants business unless other ABC establishments in the immediate vicinity similarly limit their sales of singles,

NOW, THEREFORE, the parties agree as follows:

1. Applicant will prohibit and prevent loitering and panhandling within 100 feet of the establishment by:
  - a. posting a "No Loitering/No Panhandling" sign on the outside of the establishment;
  - b. posting a sign inside requesting customers not to contribute to panhandlers;
  - c. asking loiterers to move on whenever they are observed outside the establishment;
  - d. calling the MPD to remove loiterers if they refuse applicant's request to move on;
  - e. keeping a written record of dates and times when the MPD is called for assistance; and
  - f. not installing an outdoor payphone on or adjacent to the establishment, and by opposing the efforts any other party to install an outdoor payphone on or adjacent to the establishment;
2. Applicant will maintain the public space adjacent to the establishment in a clean and litter-free condition by:
  - a. picking up trash, including beverage bottles and cans, daily, or more often if needed.
  - b. Sweeping the outside of the establishment daily, or more often if needed.
3. Applicant will participate in an ABC Board-approved course in alcoholic beverage sales and file a certificate of successful completion with the ANC within 6 months of the date of this agreement.
4. Applicant agrees not to sell single containers of malt beer of 40 or fewer ounces (for consumption off the store's premises) effective July 28, 1999
5. In consideration of, and reliance upon, the commitments reflected in paragraph 1-4, the ANC and the Community Citizens Group hereby withdraws its opposition to the applicant's pending license application.

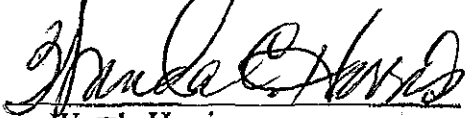
6. The parties further agree that any failure of Applicant to adhere to the foregoing commitments would consult grounds for the ANC and the Community Citizens Group to petition the ABC Board for issuance of an order to show cause pursuant to 23 D.C.M.R. 1513.5.


IN WITNESS WHEREOF, the parties have affixed hereto their hands and seals.

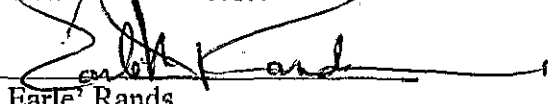
APPLICANT:

ANC 6A & Community Citizens Group

By: \_\_\_\_\_  
Chon Kyo Chu  
President

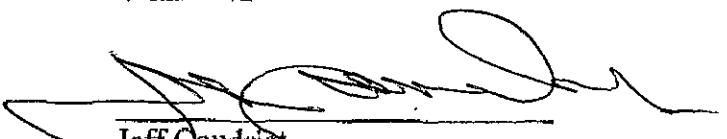
By:   
Wanda Harris  
Commissioner 6A09

By:   
Son Ho Chu  
Vice President & Treasurer

By:   
Earle Rands  
Member of  
Community Citizens Group

By: \_\_\_\_\_  
Chin Hyong Chu  
Secretary

Witnessed

  
Jeff Coudriet  
Research Specialists  
Committee on Consumer & Regulatory Affairs

July 2, 1999

Alcoholic Beverage Control Division  
Department of Consumer and Regulatory Affairs  
825 North Capitol Street N.E.  
Washington, D.C.

Re: JUMBO LIQUORS, INC.  
application/lic. #2693

Dear Ladies and Gentlemen:

Please be advised that an amendment is attached to the agreement between the applicant/Jumbo Liquor's and the ANC6A and the Community Citizen's Group.

Whereas,

Mr. Chon Kyu, President.  
(is recovering from eye surgery in Korea)

\_\_\_\_\_  
signature

Mr. Chin Hyong Chu, Secretary.  
(is out of the country on his honeymoon)

\_\_\_\_\_  
signature

\* BOTH PARTIES WILL SIGN AND AMEND THIS AGREEMENT ON THEIR  
RETURN TO WASHINGTON, D.C. AS SOON AS POSSIBLE.

Sincerely yours,

  
Earle Rands

## AGREEMENT

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(the Applicant)  
Advisory Neighborhood Commission 6A and Community Citizens Group  
(the ANC)

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WHEREAS, the parties desire to enter into an agreement governing certain understandings regarding the issuance of a Retailers' Class A Liquor License at the subject premises; and,

WHEREAS, the parties agree that the sale of single containers of beer, of 40 ounces or less, is associated with alcoholism, the illegal public consumption of alcohol, which, in turn, is associated with violence and other harmful and offensive behavior, including aggressive panhandling, and with the accumulation of destructive and publicly costly trash and litter and,

WHEREAS, the ability of the District of Columbia government to provide essential public services is compromised by the failure of businesses and individuals to pay their financial obligations to the government in a full and timely manner, and,

WHEREAS, the strict enforcement of health, safety, and security regulations enhances compliance with such regulations, and in turn, preserves and enhances the peace, order, and quiet of communities within the District of Columbia; and,

WHEREAS, the Applicant hereby certifies that it does not owe more than \$100 to the district of Columbia government as the result of any fine, fee, penalty interest or past due tax, or, if any amounts are owed, that arrangements satisfactory to the District of Columbia government have been made and are being performed by Applicant.

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IN WITNESS WHEREOF, the parties have affixed hereto their hands and seals.

APPLICANT:

By: \_\_\_\_\_  
Chon Kyo Chu  
President

By: \_\_\_\_\_  
Son Ho Chu  
Vice President & Treasurer

By: \_\_\_\_\_  
Chin Hyong Chu  
Secretary

ANC 6A & Community Citizens Group

By: \_\_\_\_\_  
Wanda Harris  
Commissioner 6A09

By: \_\_\_\_\_  
Earle Rands  
Member of  
Community Citizens Group

Witnessed

\_\_\_\_\_  
Jeff Oondriet  
Research Specialists  
Committee on Consumer & Regulatory Affairs

**BEFORE  
THE DISTRICT OF COLUMBIA  
ALCOHOLIC BEVERAGE CONTROL BOARD**

**In the Matter of:**

Jumbo Liquors, Inc.

t/a Jumbo Liquors

Application for a Retailer's Class

A License – renewal

at premises

1122 H Street, N.E.

Washington, D.C. 20002

Case no. 2693-01/045P

Chon K. Chu, President, on behalf of Applicant.

Robert Pittman and Lisa Greene, Co-Presidents, on behalf of the Linden Neighborhood Association, Protestant

**BEFORE:** Roderic L. Woodson, Esquire, Chair

Vera Abbott, Member

Charles Burger, Member

Laurie Collins, Member

Judy Moy, Member

Ellen Oppen-Weiner, Esquire, Member

Audrey Thompson, Member

**ORDER ON MOTION FOR RECONSIDERATION**

On August 20, 2001, the petitioners filed a Motion for Reconsideration, seeking relief from the Board's decision denying the association standing as a protestant against the above-referenced application. On September 5, 2001, having considered the motion and relevant documentation, and there being no response the Board denied the motion.

Accordingly, it is this 26<sup>th</sup> of September 2001, hereby **ORDERED** that the Motion for Reconsideration be, and the same hereby, is **DENIED**. Further, copies of the Order will be forwarded to the protestants, the Attorney for the Applicant and the Applicant.

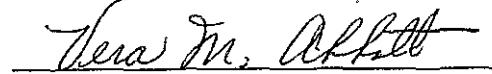


Jumbo Liquors, Inc.  
t/a Jumbo Liquors  
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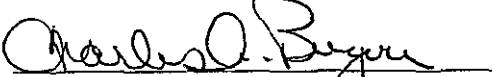
District of Columbia  
Alcoholic Beverage Control Board



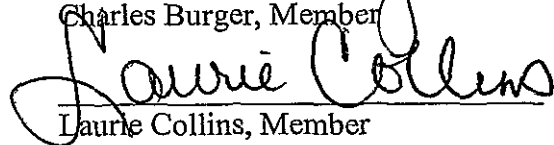
Roderic L. Woodson, Esquire, Chair




Vera Abbott, Member



Charles Burger, Member



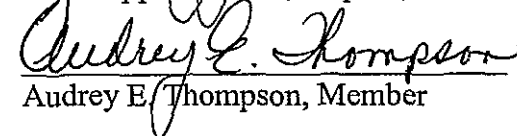
Laurie Collins, Member



Judy Moy, Member



Ellen Oppenheimer, Esquire, Member



Audrey E. Thompson, Member